

REMARKS

Claims 1-17 and 20-25 are currently pending in the subject application and are presently under consideration. Claims 1, 5, 6, 11, 16, 20, and 21 have been amended as shown on pp. 2-6 of the Reply.

Applicants' representative thanks the Examiner for the courtesies extended during the telephonic interview on July 8, 2008, between David J. Pearson and Applicant's representative Bradley Spitz. During the interview, the rejection of claims 1-17 and 20-23 under 35 U.S.C. §103 were discussed. In particular, the features recited by said claims were discussed and distinguished from Rabinovitch (U.S. 2006/0101521). Additionally, proposed amendments to the claims were discussed.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-17 and 20-23 Under 35 U.S.C. §103(a)

Claims 1-17 and 20-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Rabinovitch (U.S. 2006/0101521) in view of Matsuyama *et al.* (U.S. 6,574,611) and Friedman *et al.* (U.S. 7,039,806). Withdrawal of this rejection is requested for at least the following reasons. The cited references, either alone or in combination, fail to disclose or suggest all aspects set forth in the subject claims.

The subject claims relate to protection and tracking of information distributed in electronic form. To this end, amended independent claim 1 recites *a method of storing digitally-encoded material, the method comprising: associating a unique identifier with the digitally-encoded material; and associating one or more built-in functions with the digitally-encoded material such that the unique identifier and the built-in functions are coupled to the digitally-encoded material, the built-in functions governing transforms and rendering of the digitally-encoded material, wherein the digitally-encoded material can be transformed and rendered only by the built-in functions.* Independent claims 11 and 16 recite similar features. The cited references are silent regarding such novel features.

Rabinovitch relates to a system and method for secure usage right management of digital products. At page 4 of the Office Action, the Examiner asserts that Rabinovitch discloses built-

in functions coupled with digital content such that the digital content can be transformed or rendered only by the built-in functions. Applicant's representative avers to the contrary. At the cited portions of Rabinovitch, the reference discloses a flexible structure component that is prepared for distribution to a remote site that is dynamically structured and comprises a requested content data file, control data, a component access functionality extension (CAFÉ), and other add-on data. At the remote client site, when the flexible component is accessed, the CAFÉ provides specific access functions that check permissions and authentications to access the component. A controller accesses and obtains the content data file from the flexible component, and a user is allowed to use the requested content in compliance with the access rights defined by the control data. At the cited portions of paragraph [0047], Rabinovitch discloses providing the end user limited control rights to content that are defined in the control data to perform content manipulation such as playing, using, copying, or printing the content. However, as Rabinovitch discloses, this content data can be processed by any application, such as a client application, a network browser, a text processor, a video player, an audio player, or the like. For example, at paragraph [0049] of Rabinovitch, it is disclosed that content in a DOC file format is executed by Microsoft Word or a similar text editor, content in the PDF file format is executed by a PDF viewer application, an MP3 file is played by an appropriate audio player, *etc.* Thus, Rabinovitch provides control data along with the requested content data file. While the control data governs limited access rights for a particular user, it does not limit the applications that can render or transform the content.

In contrast, the method recited by independent claim 1 allows for coupling of built-in functions with a requested content data file such that the content data file *can be transformed and rendered only by the built-in functions*. This mitigates manipulation of the digital material by external functions. Further, at paragraph [0051] of Rabinovitch, said reference discloses that additional access functionality for the flexible component is operative only by utilizing suitable extensions constituting the CAFÉ. As the reference further discloses, CAFÉ is used to facilitate specific access functionality to the flexible component. For example, the reference discloses that different components utilize different access functions respectively set to check for required access, permissions, authentications, and the like. Based on these checks, requested operation can be enabled or disabled. Thus, if a user needs additional access functionality, CAFÉ is utilized to facilitate additional access rights for a component. Accordingly, the system of

Rabinovitch discloses the use of CAFÉ for providing additional access functionality to the flexible component, and is therefore silent regarding ***digitally-encoded material that can be transformed and rendered only by built-in functions*** as recited by independent claim 1.

Matsuyama *et al.* relates to techniques for efficiently processing users that desire to register with a content provider and information processing apparatuses respectively associated therewith. At Pages 3 and 4 of the Office Action, the Examiner relies on Matsuyama *et al.* to overcome the noted deficiencies of Rabinovitch. However, like Rabinovitch, Matsuyama *et al.* does not disclose or suggest ***digitally-encoded material that can be transformed and rendered only by built-in functions*** as recited by independent claim 1.

Friedman *et al.* relates techniques for packaging and transmitting data over a network. Said reference discloses that a permission database can be utilized to define access rights given to a receiver of data files, and that rendering of the data files can be made dependent on the permissions granted. At Page 4 of the Office Action, the Examiner further relies on Friedman *et al.* to overcome the noted deficiencies of Rabinovitch and Matsuyama *et al.* However, as noted above, the method recited by independent claim 1 allows for coupling built-in functions with a requested content data file such that the ***digitally-encoded material can be transformed and rendered only by the built-in functions***. Friedman *et al.* is additionally silent regarding such features.

In addition, independent claim 6 recites, *inter alia*, the act of ***appending built-in function source code and an encrypted combination to form an executable entity capable of being executed independent of a particular operating system, wherein the digitally-encoded material can be transformed and rendered only by the built-in functions***. Independent claim 21 recites similar features.

At paragraph [0049] of Rabinovitch, said reference discloses a usage rights management system architecture that includes a builder that assembles flexible structured components in a unique manner such that each component is given a different inner structure while having the same operational logic. These flexible components include content data, control objects, add-on data, and other means needed for the implementation and application of the component. However, Rabinovitch is silent regarding ***appending built-in function source code and the encrypted combination to form an executable entity capable of being executed independent of a***

particular operating system, wherein the digitally-encoded material can be transformed and rendered only by the built-in functions, as recited by independent claim 6. Further, Friedman *et al.* merely discloses encryption software being packaged along with content data and fails to cure the aforementioned deficiencies of Rabinovitch with respect to independent claim 6. In addition, Applicant's representative notes that by providing built-in functions to perform transform and render operations on the file such that operations on the content data can be performed only with the provided built-in functions and not with other similar functions, manipulation of the digital material by external functions can be mitigated.

In view of the above, it is clear that Rabinovitch, Matsuyama *et al.* and Friedman *et al.*, either alone or in combination, do not disclose or suggest the novel features recited by the subject claims. Accordingly, it is respectfully requested that this rejection be withdrawn.

II. Rejection of Claims 24-25 Under 35 U.S.C. §103(a)

Claims 24-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Rabinovitch in view of Matsuyama *et al.*, Friedman *et al.*, and Nelson (U.S. 6,691,229). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. The cited references, either alone or in combination, fail to teach or suggest all aspects of the subject claims. Claims 24 and 25 depend from independent claim 6. As discussed *supra*, Rabinovitch, Matsuyama *et al.* and Friedman *et al.*, either alone or in combination, fail to teach or suggest all features recited by independent claim 6. Further, Nelson, which relates to preparing traceable copies of digital content and a method of adding a unique identifier to digitally encoded content in a manner which does not alter the intended effect of the content, fails to overcome the deficiencies of Rabinovitch, Matsuyama *et al.*, and Friedman *et al.* Accordingly, it is requested that this rejection be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP1150US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731